

AMENDED IN SENATE JUNE 2, 2015

AMENDED IN SENATE APRIL 7, 2015

SENATE BILL

No. 252

Introduced by Senator Leno

(Coauthors: Senators Allen, Beall, Hancock, and Wieckowski)

(Coauthors: Assembly Members Baker, Bloom, Chiu, Cooley, Dababneh, Cristina Garcia, Gordon, Lackey, Maienschein, McCarty, Olsen, Santiago, and Ting)

February 18, 2015

An act to amend Sections 48412 and 51421 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 252, as amended, Leno. Pupils: diploma alternatives: fees.

(1) Existing law authorizes certain persons, including, among others, any person 16 years of age or older, to have his or her proficiency in basic skills taught in public high schools verified according to criteria established by the State Department of Education. Existing law requires the State Board of Education to award a certificate of proficiency to persons who demonstrate that proficiency. Existing law requires the department to develop standards of competency in basic skills taught in public high schools and to provide for the administration of examinations prepared by, or with the approval of, the department to verify competency. Existing law authorizes the department to charge a fee for each examination application in an amount sufficient to recover the costs of administering the requirements of these provisions, but prohibits the fee from exceeding an amount equal to the cost of test renewal and administration per examination application.

This bill would prohibit the department from charging the fee to a homeless child or youth who is under 25 years of age and can verify his or her status as a homeless youth. The bill would authorize a homeless services provider, as defined, that has knowledge of the examinee's housing status to verify the examinee's status for purposes of these provisions. *The bill would provide that no additional state funds would be appropriated for purposes of implementing the above provisions.*

(2) Existing law separately requires the Superintendent of Public Instruction to issue a high school equivalency certificate and an official score report, or an official score report only, to a person who has not completed high school and who meets specified requirements, including, among others, having taken all or a portion of a general education development test that has been approved by the state board and administered by a testing center approved by the department, with a score determined by the state board to be equal to the standard of performance expected from high school graduates. Existing law authorizes the Superintendent to charge an examinee a one-time fee to pay costs related to administering these provisions and issuing a certificate, as specified. Existing law limits the amount of the fee to \$20 per person and requires each scoring contractor to forward that fee to the Superintendent.

This bill would, for purposes of those provisions, prohibit a scoring contractor or testing center that charges its own separate fee from charging that separate fee to an examinee who is under 25 years of age and can verify his or her status as a homeless child or youth. The bill would authorize a homeless services provider, as defined, that has knowledge of the examinee's housing status to verify the examinee's status for purposes of these provisions. *The bill would provide that no additional state funds shall be appropriated for purposes of implementing the above provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 48412 of the Education Code is amended
- 2 to read:
- 3 48412. (a) (1) A person 16 years of age or older, or who has
- 4 been enrolled in the 10th grade for one academic year or longer,

1 or who will complete one academic year of enrollment in the 10th
2 grade at the end of the semester during which the next regular
3 examination will be conducted, may have his or her proficiency
4 in basic skills taught in public high schools verified according to
5 criteria established by the State Department of Education.

6 (2) The state board shall award a “certificate of proficiency” to
7 persons who demonstrate that proficiency. The certificate of
8 proficiency shall be equivalent to a high school diploma, and the
9 department shall keep a permanent record of the issuance of all
10 certificates.

11 (b) (1) The department shall develop standards of competency
12 in basic skills taught in public high schools and shall provide for
13 the administration of examinations prepared by or with the approval
14 of the department to verify competency. Regular examinations
15 shall be held once in the fall semester and once in the spring
16 semester of every academic year on a date, as determined by the
17 department, that will enable notification of examinees and the
18 schools they attend, if any, of the results thereof not later than two
19 weeks prior to the date on which that semester ends in a majority
20 of school districts that maintain high schools.

21 (2) In addition to regular examinations, the department may, at
22 the discretion of the Superintendent, conduct examinations for all
23 eligible persons once during each summer recess and may conduct
24 examinations at any other time that the Superintendent deems
25 necessary to accommodate eligible persons whose religious
26 convictions or physical handicaps prevent their attending one of
27 the regular examinations.

28 (c) (1) The department may charge a fee for each examination
29 application in an amount sufficient to recover the costs of
30 administering the requirements of this section. However, the fee
31 shall not exceed an amount equal to the cost of test renewal and
32 administration per examination application. All fees levied and
33 collected pursuant to this section shall be deposited in the State
34 Treasury for remittance to the current support appropriation of the
35 department as reimbursement for costs of administering this
36 section. Any reimbursements collected in excess of actual costs
37 of administration of this section shall be transferred to the
38 unappropriated surplus of the General Fund by order of the Director
39 of Finance.

(2) The department shall not charge the fee to an examinee who meets all of the following criteria:

(A) The examinee qualifies as a homeless child or youth, as defined in paragraph (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)).

(B) The examinee has not attained 25 years of age as of the date of the scheduled examination.

(C) The examinee can verify his or her status as a homeless child or youth. A homeless services provider that has knowledge of the examinee's housing status may verify the examinee's status for purposes of this subparagraph.

(3) For purposes of this subdivision, a "homeless services provider" includes either of the following:

(A) A homeless services provider listed in paragraph (3) of subdivision (d) of Section 103577 of the Health and Safety Code.

(B) Any other person or entity that is qualified to verify an individual's housing status, as determined by the department.

(d) The state board shall adopt rules and regulations as are necessary for implementation of this section.

(e) The department shall periodically review the effectiveness of the examinations administered pursuant to this section. The costs of this review may be recovered through the fees levied pursuant to subdivision (c).

(f) Additional state funds shall not be appropriated for purposes of implementing paragraph (2) of subdivision (c).

SEC. 2. Section 51421 of the Education Code is amended to read:

51421. (a) The Superintendent may charge a one-time only fee, established by the State Board of Education, to be submitted by an examinee when registering for the test sufficient in an amount not greater than the amount required to pay the cost of administering this article, including costs related to subdivision (b), and for the cost of providing services related to the completion of the general educational development test. The amount of each fee may not exceed twenty dollars (\$20) per person.

(b) The examinee shall be responsible for submitting to the Superintendent both of the following requests:

(1) A request for a duplicate copy of the high school equivalency certificate.

1 (2) A request to forward a report of the results of a general
2 educational development test to a postsecondary educational
3 institution.

4 (c) (1) If, for purposes of this article, a scoring contractor or
5 testing center charges an examinee its own separate fee, the scoring
6 contractor or testing center shall not charge that fee to an examinee
7 who meets all of the following criteria:

8 (A) The examinee qualifies as a homeless child or youth, as
9 defined in paragraph (2) of Section 725 of the federal
10 McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec.
11 11434a(2)).

12 (B) The examinee has not attained 25 years of age as of the date
13 of the scheduled examination.

14 (C) The examinee can verify his or her status as a homeless
15 child or youth. A homeless services provider that has knowledge
16 of the examinee's housing status may verify the examinee's status
17 for purposes of this subparagraph.

18 (2) For purposes of this subdivision, a "homeless services
19 provider" includes either of the following:

20 (A) A homeless services provider listed in paragraph (3) of
21 subdivision (d) of Section 103577 of the Health and Safety Code.

22 (B) Any other person or entity that is qualified to verify an
23 individual's housing status, as determined by the department.

24 (d) *Additional state funds shall not be appropriated for purposes*
25 *of implementing subdivision (c).*